

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed January 15, 2002. At the time of the Final Office Action, Claims 40-45 were pending in this Application. Claim 41 was allowed. Claims 40 and 42-44 were rejected and Claim 45 was objected to as being dependent upon a rejected base claim, but was indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. To expedite prosecution, this Amendment cancels Claims 40 and 45 without prejudice or disclaimer and amends Claim 42 to include the features of Claim 45. Applicant respectfully requests reconsideration and favorable action in this case.

Allowable Subject Matter

Applicant appreciates Examiner's consideration and allowance of Claim 41. Applicant further acknowledges the Examiner's objection to Claim 45 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Therefore, to reduce the cost and time required to obtain patent protection, features from Claim 45 have been merged into Claim 42, and Claim 45 has been canceled without prejudice or disclaimer. Therefore, Claim 42 should now be deemed allowable. Claims 43 and 44 being dependent upon Claim 42 should now also be deemed allowable.

Rejections under 35 U.S.C. § 103

Claims 40 and 42-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,936,971 issued to Welbourne D. McGahee (hereafter "McGahee") in view of "*The Uni-Knot*." Applicants respectfully traverse the rejections. McGahee and the Uni-Knot do not show or teach Applicant's invention as defined in Claims 40 and 42-44. However, to expedite prosecution, this Amendment cancels Claims 40 and 45 without prejudice or disclaimer and amends Claim 42 to include features from Claim 45.

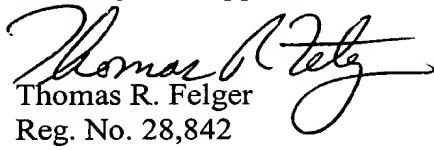
CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration and full allowance of all pending claims as amended.

A check in the amount of \$55.00 is enclosed for the extension fee. No fee appears to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Thomas R. Felger, Attorney for Applicant, at the Examiner's convenience at (512) 322-2599.

Respectfully submitted,
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IN THE CLAIMS:

Claims 40 and 45 have been cancelled without prejudice or disclaimer.

Claim 40 is hereby cancelled without prejudice or disclaimer.

Please amend Claim 42 as set out below.

42. (Amended) A fishing apparatus including a fishing device defined in part by a shank with a hook disposed at a first end of the shank and an eye disposed at a second end of the shank, the fishing apparatus comprising:

a fishing line having a first end with a sliding loop formed on the first end of the fishing line by a sliding loop knot;

the eye having a distal end disposed adjacent to and permanently spaced from the shank to accommodate engagement and disengagement of the sliding loop with the eye;

the sliding loop knot operable to releasably engage and disengage the fishing line with the eye of the fishing device;

a blocker formed on the eye as an integral part thereof to prevent the sliding loop from sliding off of the eye;

the sliding loop having a diameter which may be decreased by movement of the sliding loop knot to releasably engage the fishing line with the eye by clinching the sliding loop against the eye and which may be increased by movement of the sliding loop knot to allow movement of the sliding loop over the blocker and disengagement of the sliding loop from the eye[.];

the sliding loop knot defined in part by a first loop and a second loop disposed adjacent to each other and adjacent to a central portion of the fishing line;

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a free end of the fishing line wrapped multiple times around the central portion and through the first loop and the second loop and drawn away from the first loop and the second loop to form the sliding loop knot on the first end of the fishing line; and
the sliding loop knot operable for movement along the central portion of the fishing line to allow engaging and disengaging the sliding loop knot with the eye of the fishing device.

Claim 45 is hereby cancelled without prejudice or disclaimer.